

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAKENNETH WAYNE ELLER,  
Plaintiff,

v.

TOM ALMOND,  
Defendant.

Case No. 19-cv-06886-BLF (PR)

**ORDER OF DISMISSAL**

Plaintiff, a pretrial detainee at the Mendocino County Jail, filed the instant pro se civil rights action pursuant to 42 U.S.C. § 1983. Dkt. No. 1. On April 9, 2020, mail sent to Plaintiff was returned as undeliverable. Dkt. No. 12. Furthermore, on April 20, 2020, the Mendocino County Sheriff's Office sent a letter advising the Court that the Plaintiff was released from their facility on January 5, 2020, "due to his time being served." Dkt. No. 13. Plaintiff has not provided the Court with a new address and has had no further communication with the Court.

Pursuant to Northern District Local Rule 3-11, a party proceeding *pro se* must promptly file a notice of change of address while an action is pending. *See* Civ. L.R. 3-11(a). The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable, and (2) the


1 Court fails to receive within sixty days of this return a written communication from the *pro*  
2 *se* party indicating a current address. *See* Civ. L.R. 3-11(b).

3 More than sixty days have passed since the mail addressed to Plaintiff was returned  
4 as undeliverable. The Court has not received a notice from Plaintiff regarding a new  
5 address. Accordingly, the instant civil rights action is **DISMISSED** without prejudice  
6 pursuant to Rule 3-11 of the Northern District Local Rules.

7 The Clerk shall terminate any pending motions.

8 **IT IS SO ORDERED.**

9 Dated: June 15, 2020

  
BETH LABSON FREEMAN  
United States District Judge

United States District Court  
Northern District of California